

REMARKS

Claims 1-6, 8-12, 14-22, and 24-27 are pending in the above-identified application.

Claims 1-6, 8-12, 14-22, and 24-27 were rejected. With this Amendment, claims 1, 4, 9, 12, 17, and 20 amended. Accordingly, claims 1-6, 8-12, 14-22, 24-27 are at issue in the above-identified application.

35 U.S.C. § 102 Anticipation Rejection of Claims & 35 U.S.C. § 103 Obviousness Rejection

of Claims

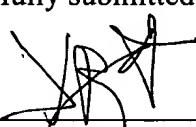
Claims 1-5, 8 and 25 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Komaru et al.* (JP 10-308236). Claims 6, 9-12, 14-22, 24 and 26-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Mayer* (U.S. Patent No. 5,783,333) in view of *Komaru et al.* Applicants respectfully traverse these rejections.

Claims 1, 9, and 17 recite a nonaqueous electrolyte secondary battery comprising a nonaqueous electrolyte that includes a *vinylene carbonate and at least one kind of material selected from between quinones, aromatic amines, vitamin E, vitamin C, sesamoles and quercetins*. None of the above-cited references, either alone or in combination, teach or even suggest a battery comprising a nonaqueous electrolyte including a *vinylene carbonate and at least one kind of material selected from between quinones, aromatic amines, vitamin E, vitamin C, sesamoles and quercetins*. For example, while the *Komaru et al.* reference discloses a nonaqueous electrolyte having a methoxybenzene system compound, *Komaru et al.* does not teach or describe a nonaqueous electrolyte having both a vinylene carbonate and at least one kind of material selected from between quinones, aromatic amines, vitamin E, vitamin C, sesamoles and quercetins. While *Komaru et al.* refers to using phenol, it is only as an impurity in a nonaqueous electrolyte having a methoxybenzene system compound, as discussed in Paragraph

188 of *Komaru et al.* Additionally, *Komaru et al.* does not teach or suggest using vinyl carbonate and at least one kind of material selected from between quinones, aromatic amines, vitamin E, vitamin C, sesamoles and quercetins. As noted, quinones, aromatic amines, vitamin E, vitamin C, sesamoles and quercetins surpass the decompositions of vinyl carbonate, as taught in the specification at Page 15. While *Komaru et al.* discloses that use of an impurity may improve the effect brought on by a methoxybenzene compound, it does not teach or suggest using the impurity with vinylene carbonate. The present invention requires the combination of *quinones, aromatic amines, vitamin E, vitamin C, sesamoles and quercetins* along with a *vinyl carbonate*. *Komaru et al.* only recites the vinyl carbonate as an example of a second component solvent, but not in combination with quinones, aromatic amines, vitamin E, vitamin C, sesamoles and quercetins. Therefore, Applicants maintain that there is no suggestion or teaching in *Komaru et al.* to combine a vinyl carbonate with quinones, aromatic amines, vitamin E, vitamin C, sesamoles and quercetins in a nonaqueous electrolyte. Accordingly, Applicants submit that the claimed invention is not anticipated by nor obvious over the applied references, either alone or in combination. Withdrawal of this rejection is respectfully requested.

In view of the foregoing, Applicant submits that the application is in condition for allowance. Notice to that effect is requested.

Respectfully submitted,

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